

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

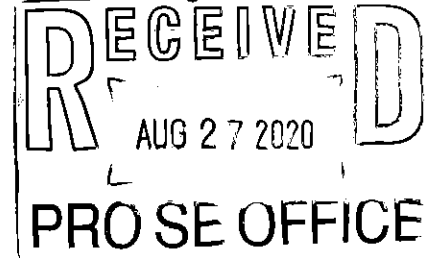
JONATHAN POSTELL SR  
94 MEYERHOFF RD  
12747

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

FALLSBURG LIBRARY  
12-14 RAILROAD PLAZA  
50. FALLSBURG N.Y.

(In the space above enter the full name(s) of the defendant(s).  
If you cannot fit the names of all of the defendants in the space  
provided, please write "see attached" in the space above and  
attach an additional sheet of paper with the full list of names.  
Typically, the company or organization named in your charge  
to the Equal Employment Opportunity Commission should be  
named as a defendant. Addresses should not be included here.)



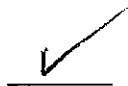
**AMENDED  
COMPLAINT  
FOR EMPLOYMENT  
DISCRIMINATION**

Jury Trial: ☐ Yes ☐ No

(check one)

20 Civ. 3991 (UA)

This action is brought for discrimination in employment pursuant to: (check only those that apply)



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

**NOTE:** In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634.

**NOTE:** In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117.

**NOTE:** In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.



New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).



New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101 to 131 (actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status).

**I. Parties in this complaint:**

- A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name JONATHAN Postell Jr  
Street Address 94 MEYERHOFF RD  
County, City SULLIVAN, SO. FALLSBURG  
State & Zip Code N.Y. 12747  
Telephone Number 845-693-4449 Cell 845-428-1474

- B. List all defendants' names and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant Name Kelly Hobby Wells  
Street Address 12-14 Railroad PLAZA  
County, City Sullivan County, So. Fallsburg  
State & Zip Code N.Y. 12779  
Telephone Number 436-6067

- C. The address at which I sought employment or was employed by the defendant(s) is:

Employer FALLSBURG LIBRARY  
Street Address 12-14 RAILROAD PLAZA  
County, City SULLIVAN, SO. FALLSBURG  
State & Zip Code N.Y. 12779  
Telephone Number 845-436-6067

**II. Statement of Claim:**

State as briefly as possible the facts of your case, including relevant dates and events. Describe how you were discriminated against. If you are pursuing claims under other federal or state statutes, you should include facts to support those claims. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. The discriminatory conduct of which I complain in this action includes: (check only those that apply)

☐ Failure to hire me.  
☐ Termination of my employment.  
☒ Failure to promote me.  
☒ Failure to accommodate my disability.  
☒ Unequal terms and conditions of my employment.  
☒ Retaliation. ATTEMPTED

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3

☒ has not issued a Notice of Right to Sue letter.  
☒ issued a Notice of Right to Sue letter, which I received on 3/06/2020 (Date).  
3/17/2020 EMA

*Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.*

C. Only litigants alleging age discrimination must answer this Question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (check one):

☒ 60 days or more have elapsed.  
☐ less than 60 days have elapsed.

#### IV. Relief:

WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, and costs, as follows: \_\_\_\_\_

\_\_\_\_\_  
(Describe relief sought, including amount of damages, if any, and the basis for such relief.)

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 20 day of August, 2020

Signature of Plaintiff

Address

Jonathan D. Stalder  
94 MEYERHOFF RD  
Hurleyville N.Y.  
12747

Telephone Number

Fax Number (if you have one)

845-428-1474 cell

845-693-4449 Home

Defendants

LAURIE BURKE DEUTSCH  
PRESIDENT of the board  
CAN BE REACHED at FALLSBURG LIBRARY  
12-14 RAILROAD PLAZA  
845-436-6067

PENNIE MERCADO  
PRINCIPAL LIBRARY CLERK & ACTING ~~LIB~~  
DIRECTOR CAN BE REACHED THROUGH

LAST KNOWN PHONE

Home # 845-647-4765  
Cell # 845-798-8818  
Cell # 845-423-1367

FALLSBURG LIBRARY  
12-14 RAILROAD  
PLAZA  
845-436-6067

JENNY SILVERMAN  
Trustee

LAST KNOWN phone

Home # 436-7759 (845)  
Cell # 807-2792 (845)

FALLSBURG LIBRARY  
12-14 RAILROAD PLAZA  
845-436-6067

1. STATEMENT OF CLAIM Section A final question OTTER  
ACTS PERCEIVING out my job so I can no longer say  
I'm only one who does cataloging

Circulation/Linking Schedule – to start April 15, 2019

**Mondays 9:30am – 5pm**

Virginia	8am – 1pm & 2pm – 4pm DESK
Rena	9am – 12pm & 1pm – 5:30pm ASSIST AT DESK AS NEEDED
Amanda	12pm – 8pm PROGRAMS & PREP/ASSIST AT DESK AS NEEDED
Jonathan	<del>9am – 2:45pm</del> & <del>3:15pm</del> – 3:30pm LINK

**Tuesdays 9:30am – 7pm**

Virginia	8am – 1pm & 2pm – 4pm DESK
Rena	10:30am – 2pm & 3pm – 7:30pm ASSIST AT DESK AS NEEDED
Amanda	9am – 6pm PROGRAMS & PREP/ASSIST AT DESK AS NEEDED
Jonathan	9am – 2:45pm LINK / 3:15pm – 3:30pm DESK
Theresa	<del>3pm – 7:30pm</del> LINK

**Wednesdays 9:30am – 7pm**

Virginia	8am – 10:30am DESK / 10:30am – 1pm & <del>2pm – 4pm</del> LINK
Rena	10:30am – 2pm & 3pm – 7:30pm ASSIST AT DESK AS NEEDED
Amanda	12pm – 8pm PROGRAMS & PREP/ASSIST AT DESK AS NEEDED
Jonathan	<del>9am – 3:15pm</del> & <del>3:45pm</del> – 4pm DESK

149

**Thursdays 9:30am – 5pm**

Virginia	8am – 1pm & 2pm – 4pm DESK
Rena	9am – 12pm & 1pm – 5:30pm ASSIST AT DESK AS NEEDED
Amanda	12pm – 8pm PROGRAMS & PREP/ASSIST AT DESK AS NEEDED
Theresa	<del>12pm</del> – 5:30pm LINK

**Fridays 9:30am – 4pm**

Virginia	8am – 1pm & 2pm – 4pm DESK
Amanda	<del>9am</del> – 4pm LINK
Theresa	11:30am – 4pm DESK

\*The times are based roughly on when I normally observe you guys taking breaks...this is NOT set in stone, however #1 priority is coverage at the desk ALWAYS. If it comes between the desk being covered, or linking being done, the desk must be covered. This goes for days off/sick days – the desk must be covered – even if you were scheduled to be linking for the day.



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**New York District Office**

33 Whitehall Street, 5<sup>th</sup> Floor  
 New York, NY 10004-2112  
 (212) 336-3620  
 TTY (212) 336-3622  
 FAX (212) 336-3625

Jonathan Postell, Sr.  
 94 Meyerhoff Road  
 Hurleyville, NY 12747

Re: Jonathan Postell, Sr. v. FALLSBURG LIBRARY  
 EEOC Charge No. 520-2019-03038

Dear Mr. Postell:

The Equal Employment Opportunity Commission ("EEOC" or "Commission") has reviewed your charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce. In accordance with these procedures, we have evaluated your charge based upon the evidence provided.

You allege that you were subjected to retaliation and discriminated against by New York City Police Department ("Respondent") based on your age, race, sex, and disability. Respondent's position statement has been previously shared with you. Your rebuttal to this position statement has been received and reviewed.

Based upon a review of information and documents submitted by you and the Respondent, the Commission is unable to conclude that the information establishes a violation of Federal law on the part of the Respondent. Although you may disagree with this determination, it is very unlikely that EEOC would find a violation if it invested additional resources. Therefore, the EEOC has decided not to further pursue its investigation of this charge and no further action will be taken by the Commission regarding this matter.

Enclosed is your Notice of Dismissal and Right to Sue. This determination is final. If you wish to pursue this matter on your own, you may file a lawsuit against the Respondent named in your charge in Federal District Court **within 90 days of receipt of your Notice of Dismissal and Right to Sue.**

Sincerely,

Judy A. Keenan  
 Deputy Director

for

MAR 06 2020

Date

Enc.



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**New York District Office**

33 Whitehall Street, 5<sup>th</sup> Floor  
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You allege that you were discriminated against by FALLSBURG LIBRARY ("Respondent") based on your race, sex, and age. Respondent's position statement has been previously shared with you. Your rebuttal to this position statement has been received and reviewed.

Based upon a review of information and documents submitted by you and the Respondent, the Commission is unable to conclude that the information establishes a violation of Federal law on the part of the Respondent. Although you may disagree with this determination, it is very unlikely that EEOC would find a violation if it invested additional resources. Therefore, the EEOC has decided not to further pursue its investigation of this charge and no further action will be taken by the Commission regarding this matter.

Enclosed is your Notice of Dismissal and Right to Sue. This determination is final. If you wish to pursue this matter on your own, you may file a lawsuit against the Respondent named in your charge in Federal District Court **within 90 days of receipt of your Notice of Dismissal and Right to Sue.**

Sincerely,

March 06, 2020

Judy A. Keenan  
 Deputy Director

Date

Enc.



### Nicole's job description

Linking and classification of all library materials, magazines, books, audio/visual etc.(cataloging)  
Directing of shelving with Director  
Weeding of entire library collection with Director input  
Processing of all materials, covering, spine labels, classification, genre etc.  
Sorting through all the donated materials and select needed materials  
Interlibrary loan, SEAL , OCLC, NYS Public Library  
Mending of damaged materials  
Ability to do payroll, and billing when Pennie is not here.  
Circulation, customer service, patron reference  
Extensive knowledge of our collection and ability to assist Patrons to the best of my knowledge.  
Helping the Director in teaching Computer classes, Internet and Word  
Over 4 years of experience  
Filling in for programming and reading Spanish to the children  
Assist in training of new employees and volunteers

Supp. the circ desk by determining prices  
for damages or purchase.

this is a copy given me in 2011 DESCRIBING  
Nicole's job when she was fired + Virginia  
+ Kate wouldn't take the job + Virginia still  
doesn't do the job even though she only supposed  
to work 2 hrs per week 49

THIS IS A COPY OF LIBRARY PERSONNEL POLICY  
EFFECTIVE 4/1/2008  
ADDITIONS 10/14/2010

**Part-Time Employees**

I don't copy all 7 pages AS YOU CAN SEE

- This refers to Part-time employees who are normally scheduled to work 20 hours per week and does not include pages, seasonal employees or occasional employees. Library closings for holidays or other reasons will not impact Part-Time employees eligibility for this benefit.
- After the completion of the six-month probationary period, two & a half days (17 1/2 Hours) of paid time off will be credited to Part-Time employees for the remainder of their first year of employment.
- Thereafter, five days (40 Hours) of Paid Time Off will be credited each subsequent year at the rate of 1 day per month on the anniversary date of employment.
- This time may not be accumulated

**E. Holidays**

- Full-Time employees will be paid for holidays they are normally scheduled to work; equivalent to the number of hours they are normally scheduled to work.
- ~~Part-time employees do not receive pay for holidays.~~
- The Library will be closed and eligible employees will be paid for the following holidays. The Board retains the right to alter the calendar annually.

New Years Day

(New Years Eve – the Library will close at 3PM)

Martin Luther King Jr. Day

Presidents Day,

Easter Sunday

Memorial Day (Observed)

Independence Day July 4<sup>th</sup>

Labor Day (Observed) Sunday and Monday

Columbus Day (Observed)

Thanksgiving Thursday and Friday

(Thanksgiving Eve – the Library will close at 3PM)

Veteran's Day (Observed)

Christmas Eve and Christmas Day

The Library will close for Yom Kippur if it falls on a day that the Library is scheduled to be open and this will be considered an additional paid holiday for employees normally scheduled to work that day.

**F. Health Insurance**

ALA-APA Salary Survey Position Descriptions  
Librarian and Non-MLS Positions

prepares for mailing; maintains vendor records and files; performs miscellaneous bookkeeping duties as required. Performs routine duties requiring the use of a variety of forms, reports or procedures. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

**Clerk - Adult Services (2006 only; see Clerk - Generalist or Clerk - Reference/Information Services)**

Provides access to materials, services and programs intended to meet the needs of the adult users of a public library. Performs routine duties requiring the use of a variety of forms, reports or procedures. Provides basic patron assistance: sets up computer stations, locates materials, provides information. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

**Clerk - Acquisitions**

Orders and receives new materials; works with collections staff to determine most appropriate sources; checks shipments to ensure correct quantity, material and quality. Performs routine duties requiring the use of a variety of forms, reports or procedures. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

**Clerk - Archives and Special Collections**

Manages and maintains collection; identifies and appraises records, authenticates, describes and documents, facilitates access and use, preserves and conserves, and exhibits collection. Performs routine duties requiring the use of a variety of forms, reports or procedures. Provides basic patron assistance. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

**Clerk - Children's Services/Young Adult Services**

Provides services intended for children and youths through twelfth grade; develops collection, provides homework and reader's advisory services, and develops age appropriate programs. Provides basic patron assistance: Locates materials, provides information. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

**Clerk - Circulation (2006 only; see Clerk - Access Services)**

Checks in and out materials; inspects materials for damage, verifies due date and calculates fine; assists patrons with basic informational questions; sorts materials and prepares for reshelfing; issues and updates identification cards according to established procedures. Performs routine duties requiring the use of a variety of forms, reports or procedures. Provides basic patron assistance: sets up computer stations, locates materials, provides information. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

↑  
THIS IS THE POSITION THEY PAY ME

AT

ALA-APA Salary Survey Position Descriptions  
Librarian and Non-MLS Positions

**Clerk - Generalist (new in 2007)**

Performs duties in several departments or functional areas.

**Clerk - Government Documents**

Provides access to publications of the U.S. federal government such as transcripts of hearings and text of bills, resolutions, statutes, reports, charters, treaties, periodicals and statistics. Performs routine duties requiring the use of a variety of forms, reports or procedures. Provides basic patron assistance: locates materials, provides information. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

**Clerk - Instructional Services/Literacy**

Advances learning, teaching and research with respect to information literacy in higher education; assists patrons to develop the ability to read and write. Performs routine duties requiring the use of a variety of forms, reports or procedures. Provides basic patron assistance: locates materials, provides information. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

**Clerk - Media Services**

Develops and manages non-print library materials such as files, video recordings, audio recordings, CD-ROMs, computer software, etc. Performs routine duties requiring the use of a variety of forms, reports or procedures. Provides basic patron assistance: locates materials, provides information. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

**Clerk - Outreach/Bookmobile**

Provides services and programs to homebound, disabled, institutionalized or other underserved patrons. Performs routine duties requiring the use of a variety of forms, reports or procedures. Provides basic patron assistance: locates materials, provides information. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

**Clerk - Reference/Information Services**

Assists patrons with questions; instructs in the selection and use of appropriate tools and techniques for finding information. Conducts searches for materials; contributes to reference collection development. Performs routine duties requiring the use of a variety of forms, reports or procedures. Provides basic patron assistance: sets up computer stations, locates materials, provides information. Maintains departmental or area records. Performs miscellaneous clerical duties such as filing, typing, sorting or photocopying.

**Clerk - Technical Services (new in 2007)**

Acquires, organizes (bibliographic control), physically processes and maintains library collections. Provides assistance to patrons including topical research and material location. Assists patrons with the use of library resources and equipment. Screens

THIS IS THE POSITION I AM GIVEN  
ON PAPER + ANSWERING MACHINE

ALA-APA Salary Survey Position Descriptions  
Librarian and Non-MLS Positions

the collection for outdated or unused materials following established ~~guidelines~~.  
Provides basic patron assistance: locates materials, provides information. Maintains  
~~departmental or area records~~. Performs miscellaneous clerical duties such as filing,  
~~typing, sorting or photocopying~~.

Collection Development/Management

Analyzes community and library data to determine areas of the collection which need updating. Selects materials to update the collection. Performs related work as required.

Computer Lab Assistant

Monitors the operation of adult and/or youth computer labs. Assists patrons with questions and problem resolution. Enforces computer lab rules. May assist with installation, operation and configuring of personal computer hardware and software. Investigates reoccurring problems and recommends course of action to supervisor. May perform back-up operations and print reports.

Copy Cataloger

Linda

~~Perform copy cataloging~~ for print and non-print materials using OCLC, AACRII, MARC, DDC and local consortium standards. Edits previously cataloged materials. Serves a resource for other library personnel concerning cataloging rules and practices.

Department Head/Branch Manager/Coordinator/Senior Manager (MLS)

Persons who supervise one or more professional librarians.

Department Head/Branch Manager/Coordinator/Senior Manager (non-MLS) (new in 2007)

Persons who supervise one or more professional librarians.

Deputy/Associate/Assistant Director (MLS)

Persons who report to the Director and manage major aspects of the library operation (e.g., technical services, public services, collection development, systems/automation).

Deputy/Associate/Assistant Director (non-MLS) (new in 2007)

Persons who report to the Director and manage major aspects of the library operation (e.g., technical services, public services, collection development, systems/automation).

Development Manager

Manages and may participate in all aspects of library's annual fund development program. Identifies potential donors and maintains donor database. Responsible for maintaining budgets of delegated programs and may supervise staff.

Director (non-MLS) (new in 2007)

Chief officer of the library or library system.

This is!  
What?  
do  
But I'm  
Not only  
A COPY  
CATALOGER  
I WAS  
Taught  
how to  
ENTER  
NEW  
Books  
into the  
system

AT THE TIME LINDA MADE ME LEARN BECAUSE I HAD TO  
ENTER THE BOOKS PENNY DOWNT CHEAP FROM CHINESE PUBLISHERS

— This is the PAPER GIVEN ME  
EXPLAINING MY POSITION  
8/30/2017

Jonathan



## Fallsburg Library

Tech Services - Library Clerk

### JOB DESCRIPTION

The work includes, but is not limited to, processing of library materials for circulation, accurate maintenance of records of library materials in ILS according to current library standards, repairing of damaged library materials. Clerks carry out assignments independently as experience is gained. No prior knowledge of library procedures and policies is required as on the job training is provided. Work is performed under the direct supervision of higher level staff. Does other related work as required or requested.

Must be able to work flexible hours, including evenings and weekends.

### TYPICAL WORK ACTIVITIES

The typical work activities listed below are a representative example of the variety of work assignments associated with this title. Tech Services clerks may perform other related activities that are not described below.

- Links all library materials to proper records in ILS
- Prepares library materials for circulation – barcodes, book covers, stickers, etc.
- Maintains periodical records as to items received weekly and monthly
- Corrects item records as instructed by higher level staff
- Repairs books and cleans/repairs DVDs/Blu Rays as needed
- Answers telephone on third ring, provides information to callers in a courteous manner, transfers calls as needed
- Requests materials for tech job in timely manner – book covers, DVD/Blu Ray cases, laminate, stickers, repair supplies, barcodes, etc.
- Trains and directs other employees on library procedures and routines, as requested by supervisor
- Assists with RCLS delivery boxes as needed
- Provides relief at the circulation desk as needed
- Assists in the enforcement of library policies or notifies the supervisor of continued issues
- Assists in maintaining overall appearance and cleanliness of the library
- Additional duties as requested/needed

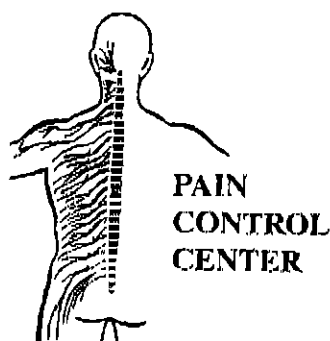
### FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES, AND PERSONAL CHARACTERISTICS

- Excellent customer service skills
- Ability to operate a personal computer and utilize common office software programs
- Ability to understand and follow moderately difficult oral and written instructions
- Detail oriented
- Tact and courtesy in dealing with staff and public

- Ability to maintain a calm and friendly demeanor with the public under stressful conditions
- Ability to maintain neat and legible records
- Ability to lift and move objects such as books, supplies, and files
- Ability to stand for extended periods of time, sit, bend, kneel, crouch, and climb stairs
- Physical condition commensurate with the demands of the position

#### MINIMUM QUALIFICATIONS

Graduation from high school or possession of a high school equivalency diploma AND one (1) year of clerical and/or customer service experience; preferably some of which is in a library setting.



# PROOF of DISABILITY

Hussein Omar, M.D., D.A.B.A., D.A.A.P.M.  
Mahmoud Abu-Ghanam, M.D., D.A.B.A.  
Board Certified In Pain Management  
Vincent LaSalle, P.A.

1886 STATE ROUTE 52  
LIBERTY, NEW YORK 12754  
Telephone 845-292-0078  
Fax 845-292-3244



\*Accredited by the Joint Commission

FACSIMILE TEL. NO.:  
(845) 292-3244

## FACSIMILE TRANSMISSION

DATE: 11-13-2019

TO: Fallsburg Library  
ATTN: Kelly Wells

TELEFAX NO.: (845) 434-1254

FROM: Renee' - ext 125

RE: Jonathan Postell DOB: 04-17-1951  
Medical documentation regarding disability status; being faxed to your attention  
as per patient's verbal request.

TOTAL PAGES INCLUDING COVER: 10

THIS IS AN AUTOMATIC TRANSMISSION. SHOULD YOU NEED TO REACH THE SENDER,  
PLEASE CALL (845) 292-0078. THANK YOU.

## CONFIDENTIAL COMMUNICATION

THIS TRANSMISSION IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS  
ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND  
EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS  
COMMUNICATION IS NOT THE INTENDED RECIPIENT, OR ITS EMPLOYEE OR AGENT  
RESPONSIBLE FOR DELIVERING THE COMMUNICATION TO THE INTENDED RECIPIENT, YOU ARE  
NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS  
STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE  
NOTIFY THIS SENDER IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL  
COMMUNICATION TO THE ABOVE CENTER AND ADDRESS BY THE U.S. POSTAL SERVICE.

PCC FAX 12/18

FOR THE EVALUATION AND TREATMENT OF ACUTE AND CHRONIC PAIN  
ALL CORRESPONDENCE BY MAIL SEND TO P.O. BOX 558 FERNDAL, NY 12734-055



The University of the State of New York  
THE STATE EDUCATION DEPARTMENT  
Office of Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR)

**Medical Report**  
**Orthopedic and Miscellaneous Disabilities**

NAME OF PATIENT	JONATHAN POSSELL SR.	DATE OF BIRTH	4-17-97
ADDRESS Street	City	State	Zip

VR-115 (1/11)

**To: Physician, Hospital, or Clinic**

The information requested concerning this patient will be used to help us determine his (her) eligibility for rehabilitation services, to determine work limitations, and to determine whether any medical or surgical treatment will increase the range of employability. All information will be held strictly confidential.

**Patient reports the following disability or disabilities:**

LOWER BACK PAIN & RADICULOPATHY  
R7C

**Rehabilitation Counselor (signature)**

**Date**

**History and Present Complaints:**

RECURRENT BACK PAIN  
AS A RESULT OF HIT FROM  
REAR CAR ACCIDENT  
8-28-2000

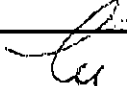
**Examination Findings:**

**Date of Most Recent Examination**

ROM OF LIMBS  
CAN'T SIT FOR MORE  
THAN 5 MIN

NEEDS

SPECIAL CHAIR  
FOR SUPPORT

Diagnosis:	
SPONDYLOS	
Prognosis as to improvement in physical condition:	
with treatment	GUARDED
without treatment	
Physical limitations resulting from disability:	
NO HEAVY LIFTING	
Recommendations	
Treatment:	NEEDS SPECIAL CHAIR FOR SLEEP
Working conditions and activities to be avoided:	
NO HEAVY LIFTING	
Prosthesis: Is a prosthesis indicated? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is patient now using a satisfactory prosthesis? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If so, describe:	
If not, please specify type required:	
Use of public transportation: Can and does patient use public transportation? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If not, explain:	
Physician's signature: 	
Date: 9-8-14	
Physician's address:	

NEW YORK STATE EDUCATION DEPARTMENT  
ADULT CAREER and CONTINUING EDUCATION SERVICES  
301 Manchester Road, Suite 200  
Poughkeepsie, NY 12603

**PHYSICAL CAPACITIES EVALUATION/FUNCTIONAL ASSESSMENT**

PATIENT: JONATHAN POSTERL

DATE: 9-9-19

PHYSICIAN: U. CASARSA

DIAGNOSIS: 724.4 721.3 781.2

PROGNOSIS: ☐ Will improve ☐ Remain static ☐ Guarded ☐ probably get worse

1. In an 8 hour work day, patient can stand/walk:  
☐ None ☒ 1-4 hours ☐ 4-6 hours ☐ 6-8 hours

2. In an 8 hour work day, patient can sit:  
☐ None ☒ 1-3 hours ☐ 3-5 hours ☐ 5-8 hours

3. Patient can lift:  
☒ Occasionally ☐ Frequently ☐ Continuously

4. Patient can use hand for repetitive:  
A. Simple grasping ☒ yes ☐ no B. Pushing and pulling ☐ yes ☒ no C. Fine manipulation ☒ yes ☐ no

5. Patient can use feet for repetitive movement (as in operating foot controls). ☐ yes ☐ no

6. Patient is able to: Frequently Occasionally Not at all

A. Bend	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B. Squat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C. Crawl	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D. Climb	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. Patient is able to reach above shoulder level: ☒ yes ☐ no

May patient in future return to previous occupation? ☐ yes ☒ no

Permanent work restrictions (types of work activities to be avoided):

AVOID SITTING FOR

LONG PERIODS. NECESSARY FOR SUPPORT

CM  
Signature of Physician

65-484 1 (2/85)



New York State Department of Motor Vehicles  
APPLICATION FOR A PARKING PERMIT OR LICENSE PLATES,  
FOR PERSONS WITH SEVERE DISABILITIES



Take this completed application to the issuing agent in the area where you live. Also, if you have a NYS driver license or an ID card issued by NYS DMV, bring it with you when you apply for the permit.

Part 1 INFORMATION ABOUT PERSON WITH DISABILITY. (Please print, and sign by the arrow.)

Last Name: POSTERL First: JOVAT HAN M.I.: MI  
 Address No. and Street: 94 MEYERHOFF RD City: HARLEYSVILLE State: NY Zip Code: 12747  
 Date of Birth: 4-17-51 ☒ Male ☐ Female I am applying for ☐ License Plates (Apply to DMV) ☒ Parking Permit (Apply to local issuing agent)  
 Do you have license plates for persons with disabilities? ☐ Yes My license plate number is: ☐ No  
 See Note on Page 2  
 Signature of Person with Disability or Signature of Parent or Guardian: [Signature] Date: 8/09/17  
 (If signed by a parent or guardian, please state your relationship to the person with the disability after your signature.)

Part 2 MEDICAL CERTIFICATION—This section must be completed only by a Medical Doctor (MD), Doctor of Osteopathy (DO) or Doctor of Podiatric Medicine (DPM). Please certify whether the patient's disability is permanent or temporary. Check the box(es) that describe the disability, and fill in the diagnosis.

☐ TEMPORARY DISABILITY: A person with a temporary disability is any person who is temporarily unable to ambulate without the aid of an assisting device, such as a brace, cane, crutch, prosthetic device, another person, wheelchair, walker or other assistive device. (Temporary permits are issued for periods of six months or less.)

Diagnosis: \_\_\_\_\_

Expected Recovery Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

What assistive device is needed? \_\_\_\_\_

☒ PERMANENT DISABILITY: A "severely disabled" person is any person with one or more of the PERMANENT impairments, disabilities or conditions listed below, which limit mobility.

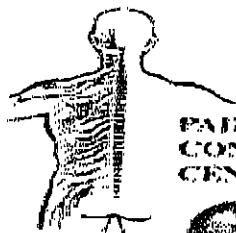
Diagnosis: M47.817-SPONDYLOSIS OF SPINE Please check the conditions that apply:

- ☐ Uses portable oxygen ☐ Legally blind ☐ Limited or no use of one or both legs ☐ Unable to walk 200 ft. without stopping  
☐ Neuromuscular dysfunction that severely limits mobility ☐ Class III or IV cardiac condition. (American Heart Assoc. standards)  
☐ Severely limited in ability to walk due to an arthritic, neurological or orthopedic condition  
☐ Restricted by lung disease to such an extent that forced (inspiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mmHg of room air at rest  
☐ Has a physical or mental impairment or condition not listed above which constitutes an equal degree of disability, and which imposes unusual hardship in the use of public transportation and prevents the person from getting around without great difficulty EXPLAIN HOW THIS DISABILITY LIMITS FUNCTIONAL MOBILITY.

MD/DO/DPM Name: V. LA SALLE PA Professional License No.: 000700-1  
 MD/DO/DPM Address: PAIN CONTROL CENTER Telephone No.: (282) 0078  
1885 STATE ROUTE 52, LIBERTY NY 12754  
 See Note on Page 2  
 Signature: [Signature] Date: 8-8-17  
 (MD/DO/DPM Signature)

Part 3 FILE INFORMATION (For Issuing Agent Use Only)

☐ Blank ☐ Red ☐ Parking Permit No. \_\_\_\_\_ Date Issued: \_\_\_\_\_ Due Expires: \_\_\_\_\_  
☐ First ☐ Second 9-digit number from NYS Driver License/ID Card  
☐ Denied ☐ Revoked Reason: \_\_\_\_\_  
 (Issuing Agent) (Date) (Locality)



**PAIN  
CONTROL  
CENTER**



*Hussein Omar, M.D., D.A.B.A., D.M.A.P.M.  
Mohamed Abdel Ghannem, M.D., D.A.B.A.  
Board Certified in Pain Management*

1400 STATE ROUTE 52  
LIBERTY, NEW YORK 12754  
Telephone 845.428.1078  
Fax 845.428.1244

*Approved by the JTF Commission*

**JONATHAN POSTELL**

68 Y, Male- DOB: 04/17/1951

Account #: 740

94 MEYERHOFF RD

HURLEYVILLE, NY 12747

H: 845.893.4449, C: 845.428.1474

Email: jpostellsr@icloud.com

Vincent Lasalle, PA. Physician Assistant

Progress Note: 08/29/2019 at 12:00 pm

Visit Reason: one year f/u

**CC:** Lower lumbar back pain, Numbness and Tingling, Joint Stiffness and Decreased Range of Motion

**HPI:**

A 68 year old male patient presents with Lower lumbar back pain. Since last visit, it has become worse. Pt here for dmv forms to be filled out. pt not seen in over one year. pt told i could not fill out any forms go to pcp.

In addition he presents with Numbness and Tingling. Since last visit, it has become worse.

In addition he presents with Joint Stiffness. Since last visit, it has become worse.

In addition he presents with Decreased Range of Motion. Since last visit, it has become worse.

JONATHAN POSTELL is a 68 Ymale who is seen today August 29, 2019 The patient with chronic mechanical back pain syndrome with

The patient came to the office for to review imaging studies follow-up and medication refill. The patient reported pain has been more or less same since last visit. The patient denies any new complaints and the pain is more or less controlled with the intake of current medication. Doing fairly well. Reported alleviating factors include local heat and rest and/or laying down; versus aggravation by sitting or standing too long at a time. We discussed today potential associated symptoms, such as or other associated concerns. Currently, using a scale of 0 (no pain and/or impact on daily activity) to 10 (worst discomfort and/or most complete interference with normal activities the patient can imagine), the patient rates this recent average situation as a 6

**Devices used by Patient:**

Patient using for ambulation today

**Allergies:**

NKDA

**Medical History:**

Low Back Pain

Degenerative Disc Disease

Osteoarthritis

**Surgical History:**

Shoulder Surgery

Progress Note: Vincent Lasalle, PA. (Physician Assistant) 08/29/2019

JONATHAN POSTELL, DOB: 04/17/1951

techniques and the potentially devastating effects of intrathecal steroid injection, or intravascular it is advisable to perform epidurography before therapeutic injection(s) into the epidural space

Since negative aspiration for blood or CSF is insufficient to exclude intravascular or intrathecal needle placement

Epidurography provides essential information for the accurate performance of lumbar epidural steroid injections. One out of every twenty presumed epidural injections were inaccurately placed even by an experienced operator. One out of every fifty was dangerously positioned and identified only by performance of an epiduralgram.

#### A: Lumbar/Transforaminal/Epidural Injections

Since patient after evaluation today have subjective and objective acute radicular pain syndromes

An epidural glucocorticosteroid injection is an option for acute or subacute radicular pain syndromes. Is an option for radicular pain syndromes lasting at least 3 weeks having been treated with NSAIDs and without evidence of trending towards spontaneous resolution

#### B: Therapeutic Facet Joint Injections

Since patient after evaluation today have subjective and objective acute Facet Joint pain syndromes

Supported by today examination and the mechanics nature of the injury that effected the range of motion

Hindered movement Inability to bend Pain when sitting/standing

Inability to bear weight Tenderness at the facet joints difficult to stand up straight or get out of a chair. walk hunched posture

Recommendations: Fluoroscopically guided (except in cases where radiation exposure is contraindicated and ultrasound evaluation of needle placement may be used) therapeutic facet joint

#### C: Sacroiliac Joint Injections

Since patient after evaluation today have subjective and objective acute sacroiliac joint pain syndromes

Supported by today examination and the mechanics nature of the injury and positive

Ilac Gapping Test

FABER or Patrick test - To identify if pain may come from the sacroiliac joint during flexion, abduction, and external rotation, the clinician externally rotates the hip while the patient lies supine. Then, downward pressure is applied to the medial knee stressing both the hip and sacroiliac joint.

Sacroiliac joint injections are recommended for the treatment of sacroiliac joint sprain/dysfunction.

#### D: Tender and Trigger Point Injections

Since patient after evaluation today have subjective and objective acute muscle spasm

Supported by today examination and the mechanics nature of the injury that effected the range of motion

Hindered movement Inability to bend Pain when sitting/standing

Inability to bear weight Swelling/Tenderness

Inflamed facets can cause a powerful muscle spasm

Trigger or tender point injections may be reasonable second or tertiary options for subacute or chronic back pain that is not resolving with more conservative means (e.g., NSAID, progressive aerobic exercises, other exercises).

Progress Note: Vincent LaSalle, PA. (Physician Assistant) 08/29/2019JONATHAN POSTELL, DOB: 04/17/1951

Electronically signed by LaSalle, Vincent, PA. on Thursday, August 29, 2019 at 01:57 PM

Pap Smear Taken	Date:	Result:
Pap Smear and Vaginal Examination refused		
Vaginal examination and Pap Smear contraindicated at this time		
Cytology Examination done within the past 3 years	Date:	Result:
Patient is a smoker / non smoker		
Patient interested in smoking cessation	Patient not interested in smoking cessation	
Counseling done	Referral done	
Are this patient's immunizations up to date?	Yes	No
Pneumococcal vaccine (if applicable) needed...	Yes	No
Influenza vaccine (if applicable) needed...	Yes	No
Tetanus booster vaccine (if applicable) needed...	Yes	No
Hepatitis B vaccine (if applicable) needed...	Yes	No

Name:

Signature:

Dated:

---

Pain Control Center  
1885 State Route 52 Liberty, NY 12754-8309  
845.292.0078 Fax: 845.292.3244



1029



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Michael Postell Sr  
94 MEYERHOF RD  
12747

James L. Strandmo  
6445 District Court  
500 PARK ST NW  
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